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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/531,534

03/21/2000

Hemant Madan

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11/02/2005

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/531,534

Applicant(s)

MADAN ET AL

Examiner

Douglas B. Blair

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/3/2005 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 12, 20, and 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,209,026 to Ran et al..

4. Claims 1-2, 12, 20, and 28-29 are rejected for reasons presented in the previous office action.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 3-4, 13, 15-17, 21, 23-25, 30 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,209,026 to Ran et al. in view of U.S. Patent Number 6,073,075 to Kondou.

7. As to claim 35, Ran teaches a real-time server computer comprising memory storing computer executable code modules that, when executed by the real-time server computer, together provide a real-time data delivery service, each said code comprising computer executable instructions stored in memory, said code modules comprising: a source filter server module that receives data from a real-time content provider and stores the received data in a keyed database (col. 12, lines 17-51); a real-time server module comprising submodules including a client connection submodule that establishes a data server thread connection with a remote mobile terminal (col. 12, lines 17-51); wherein when any data server thread connection receives a key request from a remote mobile terminal, the real-time data server module performs steps including querying a keyed database for corresponding data (col. 12, lines 17-51); and when the queried data differs from data previously sent to the remote mobile terminal, the queried data is sent to the remote mobile terminal, otherwise the queried data is not sent to the remote mobile terminal (col. 12, lines 17-51); and a web engine server module that communicates formatted data to the remote mobile terminal based on the queried data (col. 12, lines 17-51); however Ran does not explicitly teach a hash table.

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Kondou teaches a method of accessing a hash table containing a plurality of prior real-time data values using a plurality of keys associated with the plurality of real-time data values (col. 12, lines 21-44).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Ran regarding the provision of real-time information from a plurality of content providers with the teachings of Kondou regarding the use of a hash table to store real-time data values because a hash table is an efficient data structure for storing database information.

8. Claims 3-4, 13, 15-17, 21, 23-25, and 30 are rejected for reasons presented in the previous office action.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,209,026 to Ran et al. in view of U.S. Patent Number 6,073,075 to Kondou et al. as applied to claim 4, in further view of U.S. Patent Number 6,442,565 to Tyra et al..

10. Claim 5 is rejected for the same reasons presented in the last office action.

11. Claims 6-11, 14, 18-19, 22, 26-27, and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,209,026 to Ran et al. in view of U.S. Patent Number 6,073,075 to Kondou et al., in further view of U.S. Patent Number 6,173,316 to De Boor et al..

12. Claims 6-11, 14, 18-19, 22, 26-27, and 31-34 are rejected for reason presented in the previous office action.

Conclusion

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13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Number 5,398,021 to Moore describes a system for retrieving real-time information from multiple content providers and distributing the information to a plurality of clients. U.S. Patent Number 6,600,725 to Roy describes a system for retrieving real-time information from multiple content providers and distributing the information to a plurality of clients when the information has changed. U.S. Patent Number 5,793,497 to Funk discusses similar concepts to Moore and Roy.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair, whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

DBB



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER